

## **IC 4-31-5.5**

### **Chapter 5.5. Satellite Facilities**

#### **IC 4-31-5.5-1**

##### **Legislative intent**

Sec. 1. In enacting this chapter, it is the intent of the general assembly to do the following:

- (1) Promote and encourage the development of the horse racing industry in Indiana.
- (2) Provide for the establishment of satellite facilities that do not solely provide for wagering, but instead include amenities such as quality restaurants and quality handicapping facilities, so that all or part of the satellite facility will resemble the clubhouse facilities of a racetrack.
- (3) Offer the potential for the additional creation of jobs, not only in the racing and wagering industry, but also in areas of employment such as parking attendants, waiters and waitresses, security guards, custodial workers, and food service personnel.

*As added by P.L.24-1992, SEC.18.*

#### **IC 4-31-5.5-2**

##### **Licenses**

Sec. 2. A permit holder or group of permit holders may apply to the commission for a satellite facility license. The commission may issue a satellite facility license to a permit holder or group of permit holders that meets the intent and the requirements of this chapter and the rules adopted by the commission to operate satellite facilities.

*As added by P.L.24-1992, SEC.18.*

#### **IC 4-31-5.5-3**

##### **Licensing conditions**

Sec. 3. (a) As used in this section, "live racing day" means a day on which at least eight (8) live horse races are conducted.

(b) The commission's authority to issue satellite facility licenses is subject to the following conditions:

- (1) The commission may issue four (4) satellite facility licenses to each permit holder that:
  - (A) conducts at least one hundred twenty (120) live racing days per year at the racetrack designated in the permit holder's permit; and
  - (B) meets the other requirements of this chapter and the rules adopted under this chapter.

If a permit holder that operates satellite facilities does not meet the required minimum number of live racing days, the permit holder may not operate the permit holder's satellite facilities during the following year. However, the requirement for one hundred twenty (120) live racing days does not apply if the commission determines that the permit holder is prevented from conducting live horse racing as a result of a natural disaster or other event over which the permit holder has no control. In

addition, if the initial racing meeting conducted by a permit holder commences at such a time as to make it impractical to conduct one hundred twenty (120) live racing days during the permit holder's first year of operations, the commission may authorize the permit holder to conduct simulcast wagering during the first year of operations with fewer than one hundred twenty (120) live racing days.

(2) Each proposed satellite facility must be covered by a separate application. The timing for filing an initial application for a satellite facility license shall be established by the rules of the commission.

(3) A satellite facility must:

(A) have full dining service available;

(B) have multiple screens to enable each patron to view simulcast races; and

(C) be designed to seat comfortably a minimum of four hundred (400) persons.

(4) In determining whether a proposed satellite facility should be approved, the commission shall consider the following:

(A) The purposes and provisions of this chapter.

(B) The public interest.

(C) The impact of the proposed satellite facility on live racing.

(D) The impact of the proposed satellite facility on the local community.

(E) The potential for job creation.

(F) The quality of the physical facilities and the services to be provided at the proposed satellite facility.

(G) Any other factors that the commission considers important or relevant to its decision.

(5) The commission may not issue a license for a satellite facility to be located in a county unless IC 4-31-4 has been satisfied.

*As added by P.L.24-1992, SEC.18. Amended by P.L.24-1996, SEC.8.*

## **IC 4-31-5.5-4**

### **License application statements**

Sec. 4. A permit holder or group of permit holders that applies for a satellite facility license must submit to the commission a satellite facility statement in a form prescribed by the commission. This form must include the following information:

(1) The estimated number of full-time and part-time jobs to be created at the proposed satellite facility.

(2) The population of the municipality, if any, in which the proposed satellite facility is to be located.

(3) The proximity of the proposed satellite facility to any other satellite facility or racetrack that conducts pari-mutuel wagering under this article.

(4) The type of seating to be provided, including areas in the proposed satellite facility where patrons may handicap races.

(5) The total seating capacity of the proposed satellite facility.

(6) The size and number of toilet facilities in the proposed satellite facility.

- (7) The availability of food and beverages at the proposed satellite facility, including the number of tables and chairs, kitchen facilities, and concession stands.
- (8) The number of parking spaces available at the proposed satellite facility.
- (9) A description of the general demeanor of the proposed satellite facility, including lighting, decor, and plans for the exterior of the facility.
- (10) The number of betting windows and stand-alone terminals to be provided at the proposed satellite facility.
- (11) A description of the heating and air conditioning units, smoke removal equipment, and other climate control devices at the proposed satellite facility.
- (12) The total square footage of the proposed satellite facility.
- (13) Any other information required by the commission.

*As added by P.L.24-1992, SEC.18.*

#### **IC 4-31-5.5-5**

##### **Annual renewals**

Sec. 5. An application for renewal of a satellite facility license must be made annually.

*As added by P.L.24-1992, SEC.18.*

#### **IC 4-31-5.5-6**

##### **Wagering and related activities**

Sec. 6. A permit holder or group of permit holders that is authorized to operate satellite facilities may accept and transmit pari-mutuel wagers on horse racing at those facilities and may engage in all activities necessary to establish and operate appropriate satellite wagering facilities, including the following:

- (1) Live simulcasts of horse racing conducted at the permit holder's racetrack or at other racetracks. However, a satellite facility operated by a permit holder may not simulcast races conducted in other states on any day that is not a live racing day (as defined in section 3 of this chapter) unless the satellite facility also simulcasts all available races conducted in Indiana on that day.
- (2) Construction or leasing of satellite wagering facilities.
- (3) Sale of food and beverages.
- (4) Advertising and promotion.
- (5) All other related activities.

*As added by P.L.24-1992, SEC.18.*